

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated October 19, 2006, a new rejection was made rejecting pending Claims 1-6 and 8-20 under 35 U.S.C. § 103(a) and the rejection was made final. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

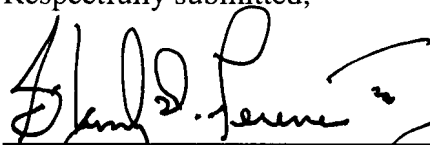
Applicants filed a Response to the Final Office Action of October 19, 2006 on December 19, 2006. An Advisory Action was issued in response on January 23, 2007. Applicants subsequently submitted a Second Amendment After Final on February 23, 2007 in which Applicants respectfully submitted that the art applied under Section 103(a) via 35 U.S.C. § 102(e) is disqualified as prior art against the present invention as the subject matter of the applied art and the claimed invention “were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.” 35 U.S.C. § 103(c); *See also* MPEP § 2146. While the entirety of Applicants' remarks in the Second Amendment After Final dated February 23, 2006 are still applicable, in the interests of brevity, they are hereby incorporated into the present paper by reference.

An Advisory Action was issued on March 26, 2007, in which the Examiner declined to withdraw the Section 103 rejections, asserting Applicants had not perfected their claim of priority because Applicants had not submitted an English language translation of the priority document. Applicants respectfully disagree the claim of priority

has not been perfected as the claim of priority was made, and the certified copy of the priority document was submitted, at the time the application was filed. See 36 CFR § 1.55(a)(1)(i) ("the claim for priority must be presented during pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application"). In order to advance prosecution, however, Applicants submit herewith an English language translation of the certified copy of the priority document. This translation was provide by the Assignee of the present application, was prepared during the course of regularly conducted business activity by the Assignee, and the undersigned therefore asserts the translation is accurate. Applicants therefore respectfully submit the outstanding Section 103 rejections should be withdrawn.

In summary, it is respectfully submitted that the instant application, including Claims 1-6 and 8-20, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Stanley D. Ference III
Registration No. 33,879

Customer No. 35195
FERENCE & ASSOCIATES LLC
409 Broad Street
Pittsburgh, Pennsylvania 15143
(412) 741-8400
(412) 741-9292 - Facsimile

Attachment

Attorneys for Applicants